

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS
HELD JANUARY 19, 1999 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY 1998

A work session was held for Robinson, Farmer, Cox Associates, the County's Independent Auditors, to present the Comprehensive Annual Financial Report for FY 1998.

**REVIEW OF THE PROPOSED PROTOCOL FOR THE PUBLIC FORUM SCHEDULED ON
JANUARY 26 IN THE WARRENTON MIDDLE SCHOOL AUDITORIUM**

A work session was held to review and discuss the proposed protocol for the public forum scheduled on January 26 in the Warrenton Middle School Auditorium.

JOINT ECONOMIC DEVELOPMENT SERVICES AGREEMENT

A work session was held to review and discuss the proposed Joint Economic Development Services Agreement with the Town of Warrenton.

PROPOSED COMPREHENSIVE PLAN AMENDMENT, CHAPTER 8, RURAL AREAS LAND USE PLAN

A work session was held to review and discuss the proposed Comprehensive Plan Amendment to Chapter 8, Rural Areas Land Use Plan.

NEW BALTIMORE WATER AVAILABILITY STUDY

A work session was held for a presentation of results of a study commissioned to re-evaluate the need for additional water supplies in the New Baltimore Service District based on revised land use acreage and population projections from the New Baltimore Planning Committee.

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Burton moved to adopt the agenda subject to adding to the Consent Agenda, Confirmation of Declaration of Local Emergency Made 15 January 1999 and adding to the Regular Agenda for discussion, Joint Economic Development Efforts with the Town of Warrenton and the Fauquier County Industrial Development Authority. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

PROCLAMATION OF COMMENDATION – LIBERTY HIGH SCHOOL EAGLES

Mr. Mangum moved to adopt the following proclamation. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

PROCLAMATION

A PROCLAMATION OF COMMENDATION FOR THE
LIBERTY HIGH SCHOOL EAGLES FOOTBALL TEAM

WHEREAS, the Liberty High School Eagles became a football team in 1993 with the opening of Liberty High School in Bealeton, Virginia; and

WHEREAS, the 1998 football season was the Eagles best season in its five year history; and

WHEREAS, the Eagles finished the 1998 regular season as Northwestern District and Region II champions and contended in the State II-A Championship Tournament for the first time in Liberty High School's history; and

WHEREAS, numerous statewide awards and honors have been received by Joe Trabucco, the Eagles Head Coach, and several members of the 1998 football squad from the Associated Press and the Virginia High School Coaches Association; and

WHEREAS, Coach Trabucco was named Coach of the Year by the Associated Press; and

WHEREAS, Jesse Leach, wide receiver, made first-team, all-state for both the Associated Press and the Virginia High School Coaches Association; and

WHEREAS, Hank Meadows claimed first-team honors from the Virginia High School Coaches Association and second-team honors from the Associated Press for his outstanding performance as quarterback; and

WHEREAS, Joe Washington, who played wide receiver and also returned kicks, was second-team, all-state for the Associated Press and earned honorable mentions from the Virginia High School Coaches Association for his contributions to both offense and defense; and

WHEREAS, Steve Stocki, offensive tackle and defensive lineman, received honorable mentions on both sides of the ball from the Virginia High School Coaches Association; and

WHEREAS, Tommy McIntyre was given an honorable mention as defensive back; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Liberty High School Eagles Football Team be, and is hereby, commended for a remarkable 1998 football season; and, be it

PROCLAIMED FURTHER, That Coach Joe Trabucco, Jesse Leach, Hank Meadows, Joe Washington, Steve Stocki, Tommy McIntyre, and the entire Liberty High School Football Team be, and are hereby, congratulated for the awards and honors in recognition of their outstanding contributions to Liberty High School.

CITIZENS TIME

- Kathleen King asked that the Board include the public in decisions by not taking action until the public has had time for review of particular issues.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum*

Nays: *None*

Absent During Vote: None

Abstention: None

FY 1999 Budget Transfers and Supplemental Appropriations

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested the appropriation of \$1,030 in Federal funding from Share of Forfeiture Proceeds – DEA Group 33; and

WHEREAS, Comprehensive Services requested appropriation of revenue for the Utilization Manager in the amount of \$16,500 for operating expenses; and

WHEREAS, the Family Preservation Grant of \$25,393 from State funding be appropriated;
and

WHEREAS, Parks and Recreation requested \$10,000 from their Trust Fund be appropriated for Monroe Park; and

WHEREAS, \$17,068 be appropriated to the Landfill Enterprise Fund for professional services completed during FY 1998 from the Landfill Enterprise Fund balance; and

WHEREAS, \$12,840 from the fund balance be appropriated for upgrading the Keith Street storm water facility; and

WHEREAS, the Office of Management and Budget requested \$179,779 from the fund balance (\$72,554 for the John Marshall Community Center renovation project and \$107,225 for the Lord Fairfax Community College water/sewer tap fees); and

WHEREAS, \$10,118 be appropriated for FY 1999 in support of the John Marshall Soil and Water Conservation Agency's rent and full time temporary office assistant position; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the sum of \$272,728 be carried over, transferred or appropriated, and hereby approved as follows:

Source	FROM		Department	TO	
	Code	Amount		Code	Amount
Federal funds	3-100-331000-0040	\$1,030	Sheriff's Office	4-100-31230-8201	\$1,030

1/22/2002

Fund

#513 Prior
Year

Fund Balance	3-100-419000-0010	\$12,840	Family Shelter	4-100-81600-5665	\$12,840
Fund Balance	3-100-419000-0010	\$72,554	CIP	4-302-094401-8215	\$72,554
Fund Balance	3-100-419000-0010	\$107,225	CIP	4-302-094651-8204	\$107,225
Reserve for Contingency	4-100-91400-9618	\$10,118	John Marshall Soil & Water Conservation	4-100-82400-5420	\$1,398
				4-100-82400-1302	\$8,100
				4-100-82400-2100	\$620
TOTAL		\$272,728			\$272,728

A Resolution to Authorize a Public Hearing to Amend Section 7-4 of the Fauquier County Code to Change the Location of the Central Absentee Voter District

RESOLUTION

A RESOLUTION AUTHORIZING A PUBLIC HEARING ON A
PROPOSED ORDINANCE AMENDING SECTION 7-4 OF
THE CODE OF FAUQUIER COUNTY RELATING TO THE
CENTRAL ABSENTEE VOTER ELECTION DISTRICT

WHEREAS, the Central Absentee Voter Election District has been located at the County of Fauquier, Central Offices, Fourth Floor Conference Room, 40 Culpeper Street, Warrenton, Virginia; and

WHEREAS, the Fauquier County Registrar has respectfully requested that the Central Absentee Voter Election District cease to be located within the Central offices of the County of Fauquier; and

WHEREAS, the Fauquier County Registrar has located in her offices, a handicapped accessible, centrally located facility, capable of housing the Central Absentee Voter Election District; now, therefore, be it

RESOLVED, by the Board of Supervisors of Fauquier County this 19th day of January, 1999, That the County Administrator is hereby directed to schedule a public hearing on the proposed ordinance amending Section 7-4 of the Code of Fauquier County relating to the Central Absentee Voter Election District.

Confirmation of Declaration of Local Emergency Made 15 January 1999

CONFIRMATION OF DECLARATION OF LOCAL
EMERGENCY MADE 15 JANUARY 1999

WHEREAS, a severe winter storm damaged significant property in Fauquier County, Virginia on 15 January 1999; and

WHEREAS, the lives of Fauquier county residents were disrupted by this natural disaster;
and

WHEREAS, approximately 10% of the County's population was without power; and

WHEREAS, the Director of Emergency Services for the County of Fauquier, on the recommendation of the Fauquier County Coordinator of Emergency Services, issued a Declaration of Local Emergency on 15 January 1999; and

WHEREAS, Section 44-145.21 of the Code of Virginia (1950), as amended, requires the Board of Supervisors to confirm the Declaration of Local Emergency by the Director of Emergency Services; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Declaration of Local Emergency made by the Director of Emergency Services on 15 January 1999, as a result of the severe winter storm in Fauquier County and surrounding regions of Virginia be, and is hereby, confirmed.

Chairman, Board of Supervisors

Member, Board of Supervisors

Member, Board of Supervisors

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST – EDWARD L. AND ALICE P. CLARKE, OWNER/APPLICANT

A public hearing was held at the November 17, 1998 meeting to consider a request from Edward L. and Alice P. Clarke to re-designate 12.128 acres from Light Industrial to Commercial Highway and to rezone this property from Industrial Park to Commercial Highway. The property is located on Route 15/29 (James Madison Highway) and Route 17 (Marsh Road), south of the Route 15/29 and 17 intersection, Lee District. Mr. Mangum moved to table the decision until the March 6, 1999 meeting and to schedule a work session to review the proffers on February 19, 1999. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST – R.F. HOSKINS, OWNER, AND DAVID AND DEBORAH COOK, APPLICANTS

A public hearing was held at the December 15, 1998 meeting to consider a request from R.F. Hoskins, Owner, and David and Deborah Cook, Applicants to amend the Comprehensive Plan from Rural Agriculture to Highway Commercial and to rezone 3.22 acres from Rural Agricultural to C-2, Highway Commercial. The property is located on the north side of Route 29, at the Prince William/Fauquier County boundary, Scott District. Mr. Weeks moved to adopt the following resolution to deny the Comprehensive Plan Amendment. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum*

Nays: *None*

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DENY COMP PLAN REQUEST

#CPA-98-S-06 HOSKINS/COOK PROPERTY

WHEREAS, the owners, Rex and June Hoskins, applicant, David and Deborah Cook have initiated a request to amend the Fauquier County Comprehensive Plan by changing the designation of a 3.22 acre tract, identified by parcel identification number 7916-67-4840-000 from Rural Agricultural (RA) to Commercial Highway; and

WHEREAS, the applicant has filed an application to amend the Fauquier County Comprehensive Plan in accordance with the provisions of Article 13; and

WHEREAS, the 3.22 acre property is situated on the north side of Route 15/29 at the Prince William County/Fauquier County boundary; and

WHEREAS, the 3.22 acre property is designated for Rural Agricultural land uses; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 30, 1998 regarding this Comprehensive Plan Amendment ; and

WHEREAS, the Fauquier County Planning Commission recommended denial of the Comprehensive Plan Amendment at its meeting on November 9, 1998; and

WHEREAS, the Board of Supervisors on December 15, 1998 held a public hearing on this Comprehensive Plan Amendment request; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That Comprehensive Plan #CPA98-S-06 to change the Comprehensive Plan designation for a 3.22 acre parcel on Route 15/29 (James Madison Highway), identified by PIN #7916-12-4840-000, from RA (Rural Agricultural) to Commercial Highway be, and is hereby, denied.

Mr. Weeks then moved to adopt the following ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST

#RZ-98-S-07 HOSKINS/COOK PROPERTY

WHEREAS, the owners, Rex and June Hoskins, applicant, David and Deborah Cook have initiated a request to amend the Fauquier County Zoning Map by changing the designation of a 3.22 acre tract, identified by parcel identification number 7916-67-4840-000 from Rural Agricultural (RA) to Commercial Highway (C-2); and

WHEREAS, the applicant has filed an application to amend the Fauquier County Zoning Ordinance in accordance with the provisions of Article 13-202; and

WHEREAS, the 3.22 acre property is situated on the north side of Route 15/29 at the Prince William County/Fauquier County boundary; and

WHEREAS, the 3.22 acre property is designated for Rural Agricultural land uses; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 30, 1998 regarding this rezoning request; and

WHEREAS, the Fauquier County Planning Commission recommended denial of the rezoning request at its meeting on November 9, 1998; and

WHEREAS, the Board of Supervisors on December 15, 1998 held a public hearing on this rezoning request; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 19th day of January 1999, That Rezoning Request #RZ98-S-07 to change the zoning designation for a 3.22 acre parcel on Route 15/29 (James Madison Highway), identified by PIN #7916-12-4840-000, from RA (Rural Agricultural) to C-2 (Commercial Highway) be, and is hereby, approved.

A RESOLUTION TO ADOPT THE FAUQUIER COUNTY BOARD OF SUPERVISORS TOP NINE PRIORITIES FOR CALENDAR YEAR 1999

Mr. Mangum moved to adopt a resolution approving the Fauquier County Board of Supervisors top nine priorities for CY 1999. Mr. Winkelmann seconded.

Mr. Burton then offered an amended motion to adopt a resolution adopting the Fauquier County Board of Supervisors priorities and to add a tenth priority to complete the Auburn Dam project in accordance with the adopted Capital Improvements Program. Mr. Mangum seconded.

Mr. Winkelmann offered a substitute motion to table the decision on the top priorities and to hold a one hour work session at the February 2, 1999 meeting to discuss the Auburn Dam project.

After discussion, Mr. Winkelmann then moved to postpone the decision on the top priorities to have a work session on January 26 at 6:00 p.m. to discuss the Auburn Dam project. Mr. Weeks seconded, and the vote for the motion was 4 to 1, as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. David C. Mangum*

Nays: *Mr. James R. Green, Jr.*

Absent During Vote: *None*

Abstention: *None*

A RESOLUTION TO AUTHORIZE APPLICATION FOR GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF AVIATION FOR PRODUCTION OF A WARRENTON-FAUQUIER AIRPORT PROMOTIONAL VIDEO

Mr. Burton moved to adopt the following resolution. No second is necessary because a committee recommends it. The vote for the motion was unanimous as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

Be It Resolved by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Fauquier County Airport Committee be, and is hereby, authorized to submit to the Virginia Department of Aviation an application for grant funding for the production of a promotional video for the Warrenton-Fauquier Airport.

DISCUSSION OF JOINT ECONOMIC DEVELOPMENT EFFORTS

The Board of Supervisors discussed the efforts being made to complete a joint economic development agreement with the Town of Warrenton.

APPOINTMENTS

Mr. Mangum moved to reappoint Serf Guerra to the Planning Commission for a four-year term to January 25, 2003. The motion was carried by unanimous consent.

Mr. Weeks moved to appoint Robert Irving to the Public Safety Compensation Task Force. The motion was carried by unanimous consent.

SUPERVISORS TIME

- Mr. Burton asked the staff to prepare a proclamation of commendation for Edwin Gulick to honor 35 years of service to the soil and water conservation district.
- Mr. Mangum reminded Board members to get citizen of the year nominations in to staff so plaques could be prepared.
- Mr. Green asked that the public hearing on the Warren County boundary adjustment be put off until March.

FAUQUIER COUNTY CODE AMENDMENT – SECTION 5-8 – STREET NAMES

A public hearing was held to consider amending Section 5-8 of the Fauquier County Code to change the Official Street Name and Property Numbering Atlas to change Hidden Lane to Grigsby Road in Cedar Run District. Wallace Bolen and Joan McDonough spoke in favor of the change. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following ordinance. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

ORDINANCE

AN ORDINANCE TO AMEND THE OFFICIAL STREET NAMES
AND PROPERTY NUMBERING ATLAS OF FAUQUIER COUNTY

WHEREAS, in conjunction with the E-911 street addressing program, certain street names were assigned which property owners would like to change; and

WHEREAS, Section 5-9 of the Fauquier County Code authorizes the Board of Supervisors to change street names; and

WHEREAS, petitions have been submitted which contain signatures from the majority of property owners on this street who approve of the name change; and

WHEREAS, the Board of Supervisors has advertised and held a public hearing to consider the following street name change; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Official Street Names and Property Numbering Atlas be, and is hereby, amended to adopt the following street name change:

EXISTING NAME

NEW NAME

Hidden Lane

Grigsby Road

private lane off of Greenwich Road (Rt. 603)

FAUQUIER COUNTY CODE AMENDMENT – CHAPTER 16 – PUBLIC PARKS

A public hearing was held to consider amending Chapter 16 of the Fauquier County Code to reflect the change in both the type of parks that are now operated by the Parks and Recreation Department as well as the way those parks are utilized. No one spoke. The public hearing was closed. Mr.

Winkelmann moved to table the decision until the February 16, 1999 meeting. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

TRANSPORTATION ENHANCEMENT PROJECT FOR THE SALEM MEETINGHOUSE

A public hearing was held to consider a proposal to request the Commonwealth Transportation Board to establish a Transportation Enhancement Improvement Project to the Salem Meetinghouse Project located in Marshall, Virginia. Bob Sinclair, President of the Fauquier Heritage Society, spoke in favor. Mr. Sinclair also spoke on behalf of Duke Yowell, President of the Olde Salem/Marshall Preservation Society, and Jack Lamonica, President of the Marshall Business and Residents Association, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

RESOLUTION

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO ESTABLISH A PROJECT FOR IMPROVEMENTS TO THE SALEM MEETING HOUSE

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the County of Fauquier; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Board of Supervisors requests the Commonwealth Transportation Board to establish projects for the improvement of the Salem Meeting House; and, be it

RESOLVED FURTHER, That the Olde Salem-Marshall Preservation Foundation hereby agrees to pay twenty (20) percent of the total cost for planning and design, right-of-way, and construction of this project, and that, if the Olde Salem-Marshall Preservation Foundation subsequently elects to cancel this project, the Olde Salem-Marshall Preservation Foundation hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

TRANSPORTATION ENHANCEMENT IMPROVEMENT PROJECT TO BEVERLY MILL

A public hearing was held to consider a proposal to request the Commonwealth Transportation Board to establish a Transportation Enhancement Improvement Project for the Beverly Mill Stabilization and Interpretation Project located on Beverly Mill Drive, Broad Run, Virginia. Ellen Percy-Miller, Executive Director of Turn the Mill Around, Barbara Severin, and Kathleen King spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for

the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

RESOLUTION

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO ESTABLISH A PROJECT FOR IMPROVEMENTS TO THE BEVERLY MILL PROJECT

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the County of Prince William adjacent to Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Board of Supervisors requests the Commonwealth Transportation Board to establish projects for the improvement of Beverly Mill; and, be it

RESOLVED FURTHER, That the Turn the Mill Around Campaign hereby agrees to pay twenty (20) percent of the total cost for planning and design, right-of-way, and construction of this project, and that, if the Turn the Mill Around Campaign subsequently elects to cancel this project, the Turn the Mill Around Campaign hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT WITHDRAWAL – JOHN W. AND PATRICIA FUELHART PFAFF

A public hearing was held to consider a request from John W. and Patricia Fuelhart Pfaff to withdraw approximately 10.00 acres of a 42.61 acre parcel from the Marshall/Warrenton Agricultural and Forestal District due to medical reasons. John Pfaff and Phillip Walker spoke in favor of the request. No else spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Mangum seconded, and the vote for the motion was unanimous as

follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO WITHDRAW APPROXIMATELY 10.00 ACRES FROM THE
MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT
WITHIN FAUQUIER COUNTY

BE IT ORDAINED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the request to withdraw 10.00 acres from the Marshall/Warrenton Agricultural and Forestal District for a good and reasonable cause (medical reasons), further described as PIN #6966-93-6055-000, made by John W. Pfaff be, and is hereby, approved.

**MIDDLEBURG/MARSHALL AGRICULTURAL AND FORESTAL DISTRICT
WITHDRAWAL – ZOHAR BEN-DOV**

A public hearing was held to consider a request from Zohar Ben-Dov to withdraw approximately 209.67 acres from the Middleburg/Marshall Agricultural and Forestal District for the purpose of subdividing the property to acquire three additional lots for tenant housing. No one spoke. The public hearing was closed. Mr. Weeks moved to adopt the following ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

ORDINANCE

AN ORDINANCE TO WITHDRAW APPROXIMATELY 209.67 ACRES FROM THE
MIDDLEBURG/MARSHALL AGRICULTURAL AND FORESTAL DISTRICT WITHIN
FAUQUIER COUNTY

BE IT ORDAINED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the request to withdraw 209.67 acres from the Middleburg/Marshall Agricultural and Forestal District, further described as PIN #6082-18-6778-000, made by Zohar Ben-Dov be, and is hereby, approved; and, be it

ORDAINED FURTHER, That this Ordinance shall be effective upon execution of an agreement with the Virginia Outdoors Foundation to place the 209.67 acres which is the subject of this Ordinance under appropriate conservation easement prohibiting subdivision of the acres to no more than 3 lots.

COMPREHENSIVE PLAN AMENDMENT – DONALD R. THARPE, TRUSTEE/LIBERTY PROJECT

A public hearing was held to consider a request from Donald R. Tharpe to amend the Comprehensive Plan for the Bealeton Service District to re-designate 25 acres of an 85 acre parcel from Medium Density Residential to Commercial Neighborhood. The property has frontage on Route 17 (Marsh Road) and is located in the Bealeton Service District, PIN #6899-29-5691-000, Lee District. Robert McIlhony apologized for Mr. Tharpe's absence due to a schedule conflict. He also spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

RESOLUTION

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN

AMENDMENT #CPA98-L-05, LIBERTY PROJECT

WHEREAS, Donald R. Tharpe, Inc. has filed an application to amend the Fauquier County Comprehensive Plan in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, this amendment is to re-designate 25.0 acres of an 85 acre property from Medium Density Residential to Commercial Neighborhood uses; and

WHEREAS, the Donald R. Tharpe property is situated on the east side of Route 17 (Marsh Road), immediately north of Liberty High School, in the Bealeton Service District; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on November 19, 1998, regarding this Comprehensive Plan Amendment; and

WHEREAS, the Planning Commission held a general meeting on December 17, 1998, regarding this Comprehensive Plan Amendment and recommended approval; and

WHEREAS, the Board of Supervisors on January 19, 1999, held a public hearing on this Comprehensive Plan Amendment; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That the Fauquier County Comprehensive Plan be, and is hereby, amended by re-designating the 25.0 acre parcel, identified as part of parcel identification number 6899-29-5691-000, from Medium Density Residential to Commercial Neighborhood.

SPECIAL EXCEPTION – PHYLLIS ANN GIROUX, OWNER

A public hearing was held to consider a request for special exception approval for Phyllis Ann Giroux to permit non-competitive dog field events. The property contains 116.49 acres and is located on the southeast corner of Route 752 (Sillamon Road) and Route 617 (Blackwells Mill Road), PIN #7825-74-5296-000, Cedar Run District. Rick Groux, representing Dr. Giroux, Dr. Giroux, Wesley Worley, Kirk Mauro, Michael Smith and Herb Bettner spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE98-CR-19

DEEP RUN FARM

WHEREAS, the Applicant and Property Owner, Phyllis Giroux, has filed an application for a special exception to permit non-competitive dog field events, pursuant to Section 3-309.16, Outdoor Recreation - Spectator and Non-Spectator Field Events (Class C), of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Phyllis Giroux, Property Owner and Applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Articles 5-901 and 5-916 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on December 17, 1998, on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That Special Exception #SE98-CR-19, Phyllis A. Giroux, Property Owner (PIN #7825-74-5296-000), be, and is hereby, approved subject to the following finding and conditions:

FINDING:

The Board of Supervisors finds the fact that the property and main entrance into the site for the Class C events is not on a major collector road does not negatively impact any general or specific standard contained in Article 5 for this use and will serve the purpose of promoting public health, safety, and welfare to an equivalent degree.

CONDITIONS:

1. The Class C uses to which the property may be put under this special exception shall be limited to the following: non-competitive field-test retriever events, non-competitive obedience and agility events, and non-competitive performance events (e.g. Earthdog, Terrier trials, herding tests).
2. The event days shall be limited to Thursday through Saturday or Friday through Sunday, with no event exceeding three (3) days in duration. The hours of operation of each event day shall be limited to 8:30 a.m. to 6:00 p.m.
3. The maximum number of Class C events permitted in a calendar year shall not exceed six (6), and there shall be no more than one (1) Class C event in any calendar month. The cumulative number of attendees at any Class C event shall not exceed four hundred fifty (450) persons.
4. The use shall be in general conformance with the special exception plat titled Deep Run Farm and which forms part of the application package dated November 6, 1998.
5. All on-site parking, lighting, entrances, and other physical improvements shall comply with the County's site plan regulations.

6. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires.
7. All entrances shall meet VDOT requirements for driveway width and radii.
8. All lighting shall be shielded, directed downward and inward, so as to eliminate glare from all adjacent properties.
9. Shotguns are permitted to be used for the Class C events Thursday through Saturday and shall not exceed 12 gauge in caliber. Shotguns are not permitted to be used on Sunday.
10. The entire facility shall be in accordance with all applicable State and Federal regulations at all times.
11. This special exception for Class C events shall be limited to a three (3) year period from the date of approval by the Board of Supervisors, and may be renewed subject to Section 5-012 of the County Zoning Ordinance.

SPECIAL EXCEPTION – UTA KIRCHNER, OWNER/1763 INN

A public hearing was held to consider a request for special exception approval for Uta Kirchner to allow the construction of two small apartments at each end of an existing small barn (tack room). The property contains 50.08 acres and is located on the south side of Route 50 (John Mosby Highway) west of Upperville, PIN #6044-67-3399-000, Marshall District. Annette Culler-Penney spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:

Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE98-M-21

1763 INN LODGING

WHEREAS, the Applicant and Property Owner, Uta Kirchner, has filed an application for a special exception to allow the construction of two (2) small apartments at each end of an existing small barn (tack room), pursuant to Section 3-309.5, Outdoor Recreation - Camps, Recreation Grounds, Lodges and Resorts, of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Uta Kirchner, Property Owner and Applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Articles 5-901 and 5-907 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on December 17, 1998, on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That Special Exception #SE98-M-21, Uta Kirchner, Property Owner (PIN #6044-67-3399-000), be, and is hereby, approved subject to the following conditions:

CONDITIONS:

1. This permit is specifically granted for the property as a whole (50 acres) and shall supersede previously granted permits for a bed and breakfast and restaurant. Any subdivision or addition of dwellings will require an amendment of this special exception.
2. There shall be no more than twenty-one (21) guest rooms (maximum), to be located in existing or proposed structures as approved per the submitted plat prepared by James I. Harris and Associates, Inc. and dated 2/9/98.
3. No more than one (1) principle residence is permitted.
4. The two (2) apartment units located in the small barn (tack room) shall be limited to one bedroom/one person occupancy per unit.
5. The restaurant seating capacity shall not exceed 50 seats.
6. The property shall be fenced or clearly marked to prevent inadvertent trespassing.
7. The total number of guests at any one time shall not exceed 120 unless a permit is granted for a temporary use in accordance with Section 3-308.3 of the Zoning Ordinance.
8. Structures on the site shall be limited to those existing and the proposed pavilion, deck expansion, gazebo, and greenhouse enclosure and five (5) one-bedroom log cabins.
9. This special exception shall be granted for a period of three (3) years and must be renewed by the Board of Supervisors in accordance with the provisions of Section 5-01 of the Zoning Ordinance.
10. The applicant shall maintain at all times occupancy permits for all dwellings and guest units, Health Department approvals, and proof that State fire codes are met.

SPECIAL EXCEPTION – WAKEFIELD SCHOOL, INC.

A public hearing was held to consider a request for special exception approval from Wakefield School, Inc. to amend Condition #12 of a special exception granted October 19, 1993 relating to signs. The property contains 49.876 acres and is located on Old Tavern Road in The Plains, PIN #6989-85-8341-000, Scott District. Peter Quinn, Headmaster, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

Nays: ***None***

Absent During Vote: ***None***

Abstention: ***None***

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE98-S-22

WAKEFIELD SCHOOL

WHEREAS, the applicant, Wakefield School, has filed an application for a special exception to permit the amendment of a previously approved special exception under Category 5 of the Fauquier County Zoning Ordinance; and

WHEREAS, the special exception application of Wakefield School, applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exceptions as set forth in Article 5 of the Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on December 17, 1998, on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of January 1999, That Special Exception #SE98-S-22, Wakefield School, (PIN #6989-85-8341-000), be, and is hereby, approved.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

A public hearing was held to solicit public input on local community development housing needs in relation to Community Development Block Grant (CDBG) funding for a project in our community as well as comments on the County's past use of CDBG funds. The following citizens spoke:

- Mitch Hostetter, Fauquier Housing Corporation, thanked the Board for past support of Fauquier Housing Corporation projects using CDBG funds.
- Jamie Kent, Fauquier Habitat for Humanity, stated that funds should be used to help families with affordable housing.
- William Clay, Rappahannock-Rapidan Planning District Commission, said that funds could be used to help a specific family in The Plains; provide sewer to seventeen houses in The Plains; and for the Route 28 sewer project.
- Priscilla Chamlee thanked the Board for the donation of land in Botha and said that the development of Botha was important.
- Bill Alberg, President of Habitat for Humanity, spoke in support of affordable housing.
- The Reverend Kay Chips spoke in support of decent, affordable homes.
- Mark Rohrbaugh spoke in support of the Route 28 sewer project.
- Arrabelle Arrington spoke in support of the Route 28 sewer project.
- Jim Craun spoke in support of the Route 28 sewer project.

With no further business, the meeting was adjourned.